

**Calendar No. 86**

103D CONGRESS  
1ST SESSION

**S. 1079**

**[Report No. 103-53]**

**A BILL**

To authorize major medical facility projects and leases for the Department of Veterans Affairs, to revise and extend the authority of the Secretary of Veterans Affairs to enter into enhanced-use leases, to authorize the disposal of Pershing Hall, France, and for other purposes.

JUNE 8 (legislative day, JUNE 7), 1993

Read twice and placed on the calendar

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IN THE SENATE OF THE UNITED STATES

JUNE 8 (legislative day, JUNE 7), 1993

Mr. ROCKEFELLER, from the Committee on Veterans' Affairs, reported the following original bill; which was read twice and placed on the calendar

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**A BILL**

To authorize major medical facility projects and leases for the Department of Veterans Affairs, to revise and extend the authority of the Secretary of Veterans Affairs to enter into enhanced-use leases, to authorize the disposal of Pershing Hall, France, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. AUTHORIZATION OF MAJOR MEDICAL FACILITY**  
2 **PROJECTS AND MAJOR MEDICAL FACILITY**  
3 **LEASES.**

4 (a) AUTHORIZATION OF PROJECTS AND LEASES.—  
5 The Secretary of Veterans Affairs may carry out the  
6 major medical facility projects for the Department of Vet-  
7 erans Affairs, and may carry out the major medical facil-  
8 ity leases for that Department, for which funds are re-  
9 quested in the budget for fiscal year 1994 that the Presi-  
10 dent submitted to Congress pursuant to section 1105(a)  
11 of title 31, United States Code.

12 (b) AUTHORIZATION OF APPROPRIATIONS.—Funds  
13 are authorized to be appropriated to the Department of  
14 Veterans Affairs for fiscal year 1994 as follows:

15 (1) For the major medical facility projects au-  
16 thorized under subsection (a), \$111,600,000.

17 (2) For the major medical facility leases au-  
18 thorized under such subsection, \$50,123,105.

19 (c) LIMITATION.—The projects and leases authorized  
20 in subsection (a) may only be carried out using—

21 (1) funds appropriated pursuant to the author-  
22 ization of appropriations in subsection (b);

23 (2) funds appropriated for the Department of  
24 Veterans Affairs for Construction, Major Projects  
25 for any fiscal year before fiscal year 1994 that re-  
26 main available for obligation; and

1           (3) funds appropriated for that department for  
2       Construction, Major Projects for fiscal year 1994 for  
3       a category of activity that is not specifically related  
4       to a particular project.

5   **SEC. 2. ENHANCED-USE LEASE AUTHORITY.**

6       (a) UTILIZATION OF CONSTRUCTION FUNDS FOR  
7       USE OF SPACE OR SERVICES.—Section 8162(b)(4) of title  
8       38, United States Code, is amended—

9           (1) by striking out “Any payment” and insert-  
10       ing in lieu thereof “(A) Except as provided in sub-  
11       paragraph (B), any payment”;

12           (2) in subparagraph (A), as designated by para-  
13       graph (1), by striking out “only” in the first sen-  
14       tence; and

15           (3) by adding at the end the following new sub-  
16       paragraph (B):

17       “(B) The Secretary may make payments for the use  
18       of space or services described in subparagraph (A) from  
19       funds appropriated to the Department for construction  
20       (other than for grants for construction). Any such pay-  
21       ment shall be treated as a project for the acquisition of  
22       a medical facility subject to the provisions of section 8104  
23       of this title.”.

1 (b) EXTENSION OF AUTHORITY.—Section 8169 of  
2 such title is amended by striking out “December 31,  
3 1994” and inserting in lieu thereof “December 31, 1996”.

4 **SEC. 3. REVISION OF AUTHORITY RELATING TO PERSHING**  
5 **HALL, FRANCE.**

6 (a) AUTHORITY FOR INCREASED TERM OF CERTAIN  
7 LEASES.—Subsection (c)(1) of section 403 of the Veter-  
8 ans’ Benefits Programs Improvement Act of 1991 (36  
9 U.S.C. 493) is amended by striking out “35 years” and  
10 inserting in lieu thereof “99 years”.

11 (b) DISPOSAL AUTHORITY.—Such section is further  
12 amended—

13 (1) by redesignating subsection (e) as sub-  
14 section (f); and

15 (2) by inserting after subsection (d) the follow-  
16 ing new subsection (e):

17 “(e) DISPOSAL AUTHORITY.—(1) Subject to para-  
18 graph (2), the Secretary of Veterans Affairs may sell or  
19 otherwise dispose of all right, title, and interest of the  
20 United States in and to Pershing Hall.

21 “(2) The Secretary may not sell or otherwise dispose  
22 of Pershing Hall under this subsection unless the Sec-  
23 retary determines that—

24 “(A) the sale or other disposal is in the best in-  
25 terests of the United States; and

1           “(B) the consideration to be paid for such sale  
2           or other disposal is acceptable.

3           “(3) The Secretary shall deposit in the Pershing Hall  
4           Revolving Fund an amount equal to the amount of any  
5           cash consideration paid to the United States for the sale  
6           or other disposal of Pershing Hall under this subsection.”.

7           (c) CLOSING OF REVOLVING FUND UPON DISPOSAL  
8           OF PERSHING HALL.—Subsection (d) of such section is  
9           amended by adding at the end the following new para-  
10          graph (7):

11          “(7) Upon sale or other disposal of all right, title,  
12          and interest of the United States in and to Pershing Hall  
13          under subsection (e), the Secretary shall—

14               “(A) pay out of funds in or proceeds from the  
15               sale or redemption of interest-bearing obligations  
16               credited to the Revolving Fund all outstanding liabil-  
17               ities of the Revolving Fund, including any unpaid  
18               expenses of the Revolving Fund and reimbursements  
19               of any funds transferred to the Revolving Fund  
20               under paragraph (2);

21               “(B) transfer any funds that remain in the Re-  
22               volving Fund after the payment of the liabilities de-  
23               scribed in subparagraph (A) to the appropriation ac-  
24               count for the Department of Veterans Affairs for  
25               minor construction projects; and

1 “(C) close the Revolving Fund.”.